

REMARKS

As a preliminary matter, Applicant's representative would like to thank Examiner Williams for courtesies extended in the telephonic interview conducted on October 14, 2005.

Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04. In the interview, the following was discussed:

A. Identification of claims discussed:

Claims 1 and 3.

B. Identification of prior art discussed:

Nomoto (U.S. Patent No. 6,320,216 B1).

C. Conduct of the Interview:

Applicant's representative discussed the Request for Reconsideration under 37 C.F.R. § 1.116 filed on October 6, 2005.

In the interview, Applicants' representative argued that Nomoto does not disclose or suggest that the "transition layers" 5a and 5b of Nomoto include a "*transition metal*", as recited in claim 1.

Particularly, Applicants' representative noted that the "transition layers 5a and 5b", as shown in Figures 11A and 11B of Nomoto, are not the same as the claimed "*transition metal*" (i.e., a transition metal as identified in the Periodic Table of Elements) but instead, merely share a common word (i.e., transition) used in a completely different context.

Applicants' representative argued that the ordinarily skilled artisan would not consider a "transition layer" to mean a "*transition metal*", as claimed. Applicants'

representative also argued that the claims reasonably must be interpreted in light of the specification.

Examiner Williams explained that he was interpreting the language of the claims very broadly. The Examiner stated that, in view of such a broad interpretation, the Examiner considered that Nomoto discloses a transition layer that is metal. Thus, the Examiner considers this a "transition metal".

However, the Examiner stated that he would consider Applicants' position.

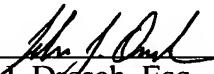
Applicants note that an Advisory Action subsequently was mailed on October 20, 2005.

E. Conclusion:

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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